

### **REMARKS**

Claims 1, 3-5, 7-15, 18, 19, 21-22 and 25-29 are pending. By this amendment, claims 1, 10, 12, 18, 21 and 22 are amended, claims 23 and 24 are canceled, and claims 25-29 are added. Applicants thank the Examiner for the courtesies extended to Applicant Patrick Knebel and Applicants' representative during the interview. The Col, Nakijama, Shang and Sol references, independent claim 1, the above-amendments and the new claims were discussed during the interview. The Examiner agreed that "determining whether at least two of the plurality of microinstructions are required to issue in parallel," recited in independent claims 1, 10 and 12, appeared to overcome the references of record. Likewise, the Examiner agreed that "in an in-order execution machine," recited in independent claims 26 and 28, is not disclosed or suggested by the references of record. Consequently, since each independent claim includes either of these features, the application is in condition for allowance and the Applicants respectfully request issuance of a Notice of Allowance.

Claims 1, 10 and 12 are amended to include the feature of determining whether at least two of the plurality of microinstructions are required to issue in parallel. Claims 18, 21 and 22 are amended to correct informalities. New claim 25 is supported by, *e.g.*, new Figure 5 and the corresponding description. New claims 25-29 claim subject matter to which Applicants are entitled. No new matter is added. No range of equivalents is intended to be surrendered by these amendments.

The specification is amended to overcome the objections on page 2 and 3 of paper no. 16. The specification amendment includes text from issued U.S. Patent No. 6,618,801 ('801 patent), incorporated by reference on page 9, lines 9-12 of the present application, that describes the mechanism utilized by the present invention. This text is copied from col. 3, line 9 to col. 4, line 28 of the '801 patent. The corresponding Figure 5 is also added. No new matter is added by this amendment.

#### **Objections**

Paper No. 16 objects to the title. The amended title is now indicative of the invention to which the claims are directed. Withdrawal of this objection is respectfully requested.

The specification was objected to because of informalities on page 9, lines 9-12. As discussed above, these informalities have been corrected. Withdrawal of this objection is respectfully requested.

The specification and drawings were objected to for the preventing step feature described in lines 3-9 and 9-16 of canceled claims 23 and 24, which feature now appears in

claim 25, amended for clarification. As discussed during the interview, the antecedent basis and support for this feature is found at least by the newly added Figure 5 and its corresponding description from the incorporated by reference '801 patent. Withdrawal of this objection is respectfully requested.

Claims 10, 18, 21 and 22 were objected to for informalities. These claims are amended to overcome these informalities. Withdrawal of this objection is respectfully requested.

### **Rejections**

Canceled claims 23 and 24 were rejected under 35 USC § 112. Cancellation of these claims renders this rejection moot.

Claims 1, 3, 4, 7, 8, 12-15, and 19 are rejected under 35 USC § 103 as obvious over the combination of Col, Nakajima, Shang and Song. Claim 5 is rejected in light of the combination of Col, Nakajima, Shang and Song, further in view of Hennessey and Patterson. Claims 10, 11, 21 and 22 are rejected in light of the combination of Col, Nakajima, Shang and Song, further in view of Intel. Claim 9 is rejected in light of the combination of Col, Nakajima, Shang and Song, further in view of Phillips. Claim 18 is rejected in light of the combination of Col, Nakajima, Shang and Song, further in view of Intel and Makineni.

As discussed above, the combination of Col, Nakajima, Shang and Song does not disclose or suggest "determining whether at least two of the plurality of microinstructions are required to issue in parallel," recited in independent claims 1, 10 and 12. Consequently these claims are allowable. For this reason, and the independent features they recite, dependent claims 3-5, 7-9, 11, 13-15, 18, 19, 21, 22 and 25 are also allowable.

Likewise, as discussed above, the combination of Col, Nakajima, Shang and Song does not disclose or suggest "in an in-order execution machine," recited in independent claims 26 and 28. Consequently these claims are allowable. For this reason, and the independent features they recite, dependent claims 27 and 29 are also allowable.

Applicants also submit the attached declaration under Rule 131, swearing behind the Col reference. As shown by the attached declaration, Applicants reduced the claimed invention to practice prior to the filing date of Col (May 18, 1999). Consequently, per 37 CFR § 1.131(b), Col is not effective prior art against the present application. Issuance of a Notice of Allowance for at least these reasons is respectfully requested.

### **CONCLUSION**

In view of the above amendments and remarks, Applicants respectfully assert that the application is in condition for allowance. Prompt reexamination and allowance of claims 1-5,

7-16, 18-22 and 25-29 is respectfully requested. Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,



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Sean S. Wooden, Reg. No.: 43,997

**Andrews Kurth LLP**

1701 Pennsylvania Ave, N.W.

Suite 300

Washington, DC 20006

Tel. (202) 662-2738

Fax (202) 662-2739

Attachments